



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

(801) 538-5340 telephone

(801) 359-3940 fax

(801) 538-7223 TTY

www.nr.utah.gov

Michael O. Leavitt  
Governor

Robert L. Morgan  
Executive Director

Lowell P. Braxton  
Division Director

UJ.  
M/047/032

June 9, 2003

Mr. Dan O'Leary  
Crown Asphalt Ridge, LLC  
150 West Jefferson, Suite 1700  
Detroit, Michigan 48226

Re: Revised Map of Disturbed Area; Crown Asphalt Corporation and Uintah County; Asphalt Ridge Mine, M/047/032 and M/047/022, and Release of Exploration Project, E/047/047, Uintah County, Utah

Dear Mr. O'Leary:

Thank you for the revised surface facilities map which the Division received May 14, 2003. Although this map is a significant step in resolving some of the questions the Division has previously raised, there are some ambiguities on the map that need to be explained.

The following clarifications need to be made on the map received May 14, 2003:

1. The reclaimed area has the same cross hatching as the disturbed area. Do the acreage figures for the disturbed areas (total, Uintah County, and Crown) include the reclaimed area? Since the reclaimed area is being released, the acreage figures should not include the reclaimed area. The road through the reclaimed area up to the mine still needs to be included in the disturbed area.
2. The collection pond just to the southeast of the reclaimed area is not cross hatched indicating it was not counted as part of the disturbed area. Is this how the acreage calculations were made? This pond is still being used as part of the mine's drainage control system and needs to be included as disturbed area.
3. The Crown extraction facility is not cross hatched in the same way as the rest of the disturbed area. Was the acreage for this area included as part of the acreage for the entire disturbed area (122.7 acres)?
4. It was my understanding during our meeting on April 11, 2003, that the entire area near the flare stack would be the responsibility of Crown Asphalt Ridge, and the lack of blue speckling on the map would indicate it is not the county's responsibility. Is this correct? This area is labeled "Crown Asphalt Lease" on the map. How is the acreage for this area accounted for? It does not appear to be included in the disturbed area acreage for either

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Crown (because the acreage for Crown is either in the processing plant or in Section 31) or the county (since it does not have blue speckling), yet it may be included in the total.

The report for the inspection Doug Jensen and I did on April 11, 2003, indicates the Division could release the reclaimed areas we examined, but we did not send a letter specifically releasing those areas. For this reason, you may not have had the information you needed for calculating acreages, and we apologize for this oversight. By this letter, the Division releases the reclaimed areas to the north and west of the collection pond from further reclamation responsibilities.

#### **Release of Exploration Notice of Intention E/047/047**

All of the exploration sites shown in exploration notice of intention E/047/047 are shown on the new map as being within the current mine disturbed area; however, the map shows three additional sites outside the mine disturbance and not included with the exploration notice. On May 23, 2003, I went to the mine and used the map to search for these sites. Marty Miller and I found site CB-3 and another site in the general vicinity of A-3, but we did not find A-4. Site CB-3 has been adequately reclaimed. Site A-3 has been mostly reclaimed, but there was an uncased hole that needed to be filled. I understand this hole has now been filled. The vegetation and grading on this site are adequate, so this site can also be released.

On June 3, 2003, I spoke with Everett Unruh about the exploration sites. He indicated there is another exploration hole very near the south end of the mine. He faxed a photo showing the location of this site, and it is within the mine disturbed area.

Because all of the sites associated with E/047/047 appear to have been either adequately reclaimed or are within the permitted mine disturbed area, the Division hereby releases you from further obligations with regard to this notice with the following condition. *If exploration sites associated with this notice are found in the future, you will be required to fulfill any reclamation or other mitigation on these sites that would normally be required.*

The reason for this condition is some uncertainty whether all of the exploration sites are plotted correctly on the map and whether they are actually within the mine disturbed area. As Mr. Miller and I were searching for site CB-3, we found a piece of lath marked PDH5. This was about 1000 feet from where the site is shown on the map, so it raised some questions about the map accuracy. This lath was in an undisturbed area, and I do not know of any other disturbances with this exploration project, but the condition is included just in case another disturbance is found.

#### **Permit Transfer and Bond Adjustment**

On November 26, 2002, we received transfer applications for the notices of intention for the mine (M/047/032) and the exploration project (E/047/047). You also requested information about how to combine these two notices of intention. We responded on January 27, 2003, and asked for a clarified legal description for the mine. We also indicated we were going to begin a review of the bond and asked you to submit an updated map of the disturbed area.

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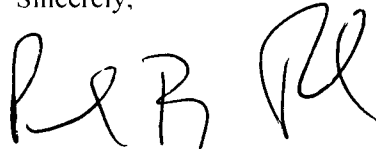
Because we are releasing you from the exploration notice of intention, there should be no need to transfer the notice or to combine it with the notice of intention for the mine.

Both the permit transfer application and the reclamation contract require a legal description, and once the corrections and clarifications have been made on the map you provided, you should be able to simply refer to the map in your legal descriptions. Using the map, we should be able to calculate a revised bond amount. With this amount, you can then get a replacement bond in the name of Crown Asphalt Ridge, LLC, and we should then be able to transfer the permit.

I hope the information in this letter is clear, but please call (801-538-5261) or write if you need any clarification. My e mail address is paulbaker@utah.gov. If necessary, I would be happy to meet with you or your surveyor to discuss the map. Please provide the revised information by July 18, 2003.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', with a stylized flourish at the end.

Paul B. Baker  
Senior Reclamation Biologist

jb

cc:

Jay Mealey, Crown Asphalt Corporation

Paul Felch, Uintah County

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